

REMARKS

In the Office Action mailed July 11, 2007, the Examiner noted that claims 1-8 were pending, and rejected claims 1-8. No claims have been amended, no claims have been canceled, claim 9 has been added; and thus, in view of the forgoing claims 1-9 are pending for consideration which is requested. No new matter has been added. The Examiner's rejections are respectfully traversed below.

Claim 4 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Office Action alleged that the language "cell flags which are marks used..." as recited in claim 4 does not illustrate the analogy between the marks and cell flags and do not clarify the meaning of marks (see Office Action, page 2, item 1). Applicant respectfully traverses the Examiner's rejection with an argument.

It is respectfully submitted that "cell flags **which are marks...**" clearly indentifies the meaning of a cell flag. Specifically, a **cell flag is a mark used to identify/recognize the location of a cell** (see Specification, page 12, lines 3-8). Therefore, it is respectfully submitted that claim 4 satisfies the requirements of 35 U.S.C. § 112, second paragraph. If the Examiner disagrees, the Examiner is respectfully requested to contact the undersigned by telephone prior to issuing the next Office Action to arrange an Interview to discuss what further amendments are required.

Claims 1, 5 and 6 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Solhjell (U.S. Patent No. 7,123,444) in view of Utsumi et al. (U.S. Patent No. 5,967,339).

Solhjell is directed to a tape cassette having an optical signal receiver and a memory for storing information optically transmitted into the cassette. Specifically, Solhjell discusses a tape cassette having a housing which contains at least one magnetic tape wound on a tape hub and a semiconductor memory which contains memory data.

However, the Office Action acknowledged that Solhjell does not show "wherein one of the multiple cartridges is a diagnostic cartridge for the library device and the second memory installed in the diagnostic cartridge stores backup information which is the same as the control information stored in the first memory" and relied upon Utsumi et al. to teach this feature (see Office Action, page 4, lines 7-16).

It is respectfully submitted that Utsumi et al. does not teach or suggest "wherein one of the multiple cartridges is a diagnostic cartridge for the library device and the **secondary**

memory installed in the diagnostic cartridge stores backup information which is the same as the control information stored in the first memory," as recited in claim 1. Rather, Utsumi et al. is directed to a positional correction relative-flag structure of a cartridge storage rack in a library apparatus. Utsumi et al. describes a master label 65 adhered as a bar code label to the bar code label adhering member 64 of the integrated structure 59 on the front side of the LAU 2A. The diagnostic label 66, in Utsumi et al., is adhered as a bar code label to the bar code label adhering member 65 of the integrated structure 59 on the rear side. As a result, the master label 65 is read out by the bar code reader of the accessor 7 in order to verify the reading operation of the bar code reader and the diagnostic label 66 is read out by the bar code reader of the accessor 7 in order to check whether or not the reading position by the bar code reader is in a given range. Therefore, Utsumi et al. does not teach or suggest a "second memory install in the diagnostic cartridge stores backup information", as recited in claim 1.

It is respectfully submitted that claim 1 patentably defines over the combination of Solhjell and Utsumi et al. Claims 5 and 6 depend from independent claim 1 and inherit the patentable features thereof. Therefore, claims 5 and 6 also patentably define over the combination of Solhjell and Utsumi et al.

Claim 2-4, 7 and 8 were rejected under 35 U.S.C. 103(a) as being unpatentable over Solhjell in view of Utsumi et al. as applied to claim 1 above, and further in view of Hanaoka et al. (U.S. Patent No. 6, 144,519).

Claims 2-4, 7 and 8 depend from independent claim 1 and inherit the patentable features thereof. Therefore, it is respectfully submitted claims 2-4, 7 and 8 patentably define over the combination of Solhjell and Utsumi et al. Further, nothing was cited or found in Hanaoka et al. to cure the deficiencies of Solhjell as discussed above with respect to claim 1. Thus, claims 2-4, 7 and 8 patentably define over the combination of Solhjell, Utsumi et al. and Hanaoka et al.

Accordingly, Applicants respectfully requests withdrawal of all rejections.

New claim 9 emphasizes "installing a second memory in a diagnostic cartridge to store backup information" which is not taught or suggested by the combination of references. Therefore, it is respectfully submitted that new claim 9 patentably distinguishes over the combination of references.

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. Further, all pending claims patentably distinguish over the prior art. There being no further outstanding objections or

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rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.


Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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